IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (LODG) NO. 125 OF 2007

Mukund S. Mokashi] .. Petitioner

Versus

1. Controller of Accomodation & Anr.] .. Respondents

Mr. P.G. Karande for the petitioner.

Mr. K.R. Belosay, AGP,for the respondents.

CORAM: R.M. LODHA, &
SMT. NISHITA MHATRE, JJ.

DATED: 23RD JANUARY, 2007

P.C. :

. We heard the counsel for the petitioner. The submission of the counsel for the petitioner is that on account of upholding the validity of the Bombay Rents, Hotel and Lodging House Rates Control, the Bombay Land Requisition and Bombay Government Premises (Eviction) (Amendment) Act (16 of 1997) by the Supreme Court and the use of the expression "and others" in the statement of objects and reasons, the possession of the petitioner in subject premises is protected and, therefore, the impugned orders of eviction dated 14th November, 2005 and 20th December, 2006 are bad in law.

2. The contention is wholly misconceived. It is not in dispute that the petitioner has retired from the Government service in the year 1992. We fail to understand how upholding of the aforenoted enactment and the expression "and others" in objects and reasons protects the possession of the petitioner. If the arguments of the petitioner's counsel is accepted, it would mean that Government is obliged to provide Government accommodation to retired Government employees.

3. The Writ Petition is wholly misconceived. It is dismissed in limine. Oral pray for stay is rejected.

Sd/-
[R.M. LODHA, J.]

Sd/-
[SMT. NISHITA MHATRE, J.]